

Docket No. 17525 (BOT)

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JUN 12 2008

18 PAGES

## PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No.: 7,341,843 B2  
 Issued: March 11, 2008  
 Application No.: 10/821,669  
 Applicant: Attassi, Z.M.  
 Confirmation No.: 9880  
 Filed: April 9, 2004  
 Group Art Unit: 1645  
 Examiner: Portner, V. A.  
 Docket No.: 17525 (BOT)  
 Customer No.: 51957  
 Patent Title: Botulinum Toxin A Peptides  
 and Methods of Predicting and Reducing  
 Immunoresistance to Botulinum Toxin Therapy

PETITION

June 12, 2008

By Fax: 571-273-8300

Attn: Office of Petitions  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir,

It is our request to correct the Assignee information on the issued U.S. Patent. We inadvertently failed to include the second assignee name on the Issue Fee Transmittal. The Assignment was recorded in the USPTO under both Assignees on May 11, 2007; Reel/Frame 019279/0979. We are also including a copy of this document.

We ask that the file be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction. Should there be any questions, the Examiner is invited to call the undersigned agent. Please use Deposit Account 01-0885 for the payment of any fees due in connection with the current response.

Respectfully submitted,



Dean G. Stathakis, Ph.D.  
 Registration No. 54,465  
 Agent of Record



ALLERGAN

LEGAL DEPARTMENT  
 2525 Dupont Drive  
 Irvine, California 92612-1599  
 Tel: 714/246-6521 Fax: 714/246-4249

714 246 4249

ALLERGAN

**JUN 12 2008**

11:10:50 a.m. 06-12-2008

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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JUN 9 2008

LEGAL/PATENTS

17525 (BOT)

Patent No. : 7,341,843 B2

Application No : 10/821,669

Inventor(s) : Atassi

Issued : March 11, 2008

Title : BOTULINUM TOXIN A PEPTIDES AND  
METHODS OF PREDICTING AND  
REDUCING IMMUNORESISTANCE TO  
BOTULINUM TOXIN THERAPY

*RESPONSE DUE 7-3-08  
ACTION Resubmit Corr. of Certificate  
of Correction*

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322 and/or 1.323.

Assignees' names and addresses (assignment data) printed in a patent, are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Issue Fee Transmittal Form PTOL-85B. Granting of a request under 37 CFR 3.81(b) is required to correct applicant's error providing incorrect or erroneous assignment data, *before* issuance of a Certificate of Correction, under 37 CFR 1.323 (see *Manual of Patent Examining Procedures (M.P.E.P.) Chp. 1400, sect. 1481*). This procedure is required *at any time after the issue fee is paid*, including after issuance of the patent.

In view of the foregoing, your request in this matter is hereby denied.

A certificate of correction will be issued to correct the remaining errors noted in your request.

A request to correct the Assignee under 37 CFR 3.81(b) should include:

- A. the processing fee set forth in 37 CFR 1.117(h) (currently \$130);**
- B. a statement that the failure to include the correct assignee name on the PTOL-85B was inadvertent; and**
- C. a copy of the Notice of Recordation of Assignment Document, reflecting the reel and frame number where the assignment(s) is recorded and/or reflecting proof of the date the assignment was submitted for recordation.**

*In the Request, Applicant(s) may request that the file be forwarded to Certificates of Correction Branch, for issuance of a Certificate of Correction, if the Request is granted.*

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

By hand: Customer Service Window  
Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: (571) 273-8300  
ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, no additional fee is required.

Valerie Jackson  
For Mary F. Diggs  
Decisions & Certificates  
of Correction Branch  
(703) 308-9390 ext. 114

---

Dean G. Stathakis-T2-7H  
Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612

vj/MFD

## Electronic Acknowledgement Receipt

JUN 12 2008

<b>EFS ID:</b>	3198436
<b>Application Number:</b>	10821669
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9880
<b>Title of Invention:</b>	BOTULINUM TOXIN A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY
<b>First Named Inventor/Applicant Name:</b>	M. Zouhair Atassi
<b>Customer Number:</b>	51957
<b>Filer:</b>	Dean G Stathakis/Bonnie Ferguson
<b>Filer Authorized By:</b>	Dean G Stathakis
<b>Attorney Docket Number:</b>	17525(BOT)
<b>Receipt Date:</b>	23-APR-2008
<b>Filing Date:</b>	09-APR-2004
<b>Time Stamp:</b>	17:14:23
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$100
RAM confirmation Number	2359
Deposit Account	010885
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	4-23-08-COC-17525.pdf	126695 51bfb2a8e40f394d00x3b44e605714f3 71e39f	no	5

**Warnings:****Information:**

2	Fee Worksheet (PTO-06)	fee-info.pdf	8218 6832d7537a73b4478101da69620dc5 71086a	no	2
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**Warnings:****Information:**

Total Files Size (in bytes):	134913
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an International filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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JUN 12 2008

Patent 7,341,843

PATENT

IN UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,341,843

Docket No: 17525 (AP)

Issue Date: March 11, 2008

Patentee: M. Zouhair Atassi

Title BOTULINUM TOXIN A PEPTIDES AND METHODS OF PREDICTING AND  
REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY

REQUEST FOR CERTIFICATION OF CORRECTION

Attn: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

It is requested that a Certificate of Correction be issued correcting printing errors appearing in the above-identified United States patent. Two copies of the text of the Certificate in the suggested form are enclosed.

Pursuant to 1.20(a), the examiner is authorized to charge the Certificate of Correction fee of \$100.00 to the Deposit Account No.01-0885.

Issuance of the Certificate of Correction would neither expand nor contract the scope of the claims as properly allowed, and re-examination is not required.

The Examiner is authorized to charge any additional fees or credit overpayment to Deposit Account No. 01-0885.

Respectfully submitted

Date: April 23, 2008

By: /Dean G. Stathakis/

Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612  
Direct: 714-246-6521  
Fax: 714-246-4249

Attorney Name: Dean G. Stathakis  
Reg. No.: 54,465

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PTO/SB/44 (02-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUnder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO : 7,341,843

DATED : March 11, 2008

INVENTOR(S) : Atassi

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 1, in field (73), Assignee: after "Allergan, Inc., Irvine, CA (US)", add --Baylor College of Medicine, Houston, TX (US)--

On page 2, in field (56), under "Other Publications", in column 1, line 5, delete "teh" and insert -- the --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 9, delete "e tal," and insert -- et al, --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 12, delete "Hc fragemtn" and insert -- H<sub>c</sub> fragment --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 17, delete "reference" and insert -- Reference --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 29, delete "1997., Predicint" and insert -- 1997, Predict --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 31, delete "e al," and insert -- et al, --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 33, delete "Journal" and insert -- Journal --, therefor.

On page 2, in field (56), under "Other Publications", in column 1, line 56, delete "apges" and insert -- pages --, therefor.

On page 2, in field (56), under "Other Publications", in column 2, line 65, delete "Toxin;" and insert -- Toxin: --, therefor.

On page 2, in field (56), under "Other Publications", in column 2, line 65, delete "Implication sof" and insert -- Implications of --, therefor.

MAILING ADDRESS OF SENDER:  
Dean G. Stathakis-T2-7H  
Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612

PATENT NO. 7,341,843

Atty Docket No: 17525 (AP)

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(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO : 7,341,843

DATED : March 11, 2008

INVENTOR(S) : Atassi

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On page 3, in field (56), under "Other Publications", in column 1, line 17, delete "Poreteins" and insert -- Proteins --, therefor.

On page 3, in field (56), under "Other Publications", in column 1, line 18, delete "Plunum" and insert -- Plenum --, therefor.

On page 3, in field (56), under "Other Publications", in column 1, line 33-34, delete "Infect. Immun. 69:570-574 (2001)." and insert -- Vaccine 20:2107-2115 (2002). --, therefor.

On page 3, in field (56), under "Other Publications", in column 2, line 7, delete "Sci," and insert -- Sci. --, therefor.

On page 3, in field (56), under "Other Publications", in column 2, line 29, delete "purified" and insert -- purified --, therefor.

On sheet 15 of 28, Fig. 14, line 1, delete "Per cent" and insert -- Percent --, therefor.

In column 12, line 34, after "thereof" insert -- --.

In column 16, line 23, delete "Hc" and insert -- H<sub>c</sub> --, therefor.

In column 17, line 49-50, delete "imunoresistance" and insert -- immunoresistance --, therefor.

In column 17, line 51, delete "inventin." and insert -- invention. --, therefor.

In column 18, line 43, delete "Hc" and insert -- H<sub>c</sub> --, therefor.

In column 22, line 67, delete "an" and insert -- can --, therefor.

In column 29, line 30, delete "an" and insert -- and --, therefor.

In column 29, line 37, after "the art" delete "art".

MAILING ADDRESS OF SENDER:  
Dean G. Stathakis-T2-7H  
Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612

PATENT NO. 7,341,843

Atty Docket No: 17525 (AP)

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Approved for use through 01/31/2004. OMB 0651-0033  
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(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CERTIFICATE OF CORRECTION**

PATENT NO : 7,341,843

DATED : March 11, 2008

INVENTOR(S) : Atassi

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 31, line 12, delete "[C15]," and insert -- [C10], --, therefor.

In column 31, line 49, delete "herein," and insert -- herein. --, therefor.

In column 32, line 2, delete "polypropylene" and insert -- polypropylene --, therefor.

In column 36, line 52, delete "N81" and insert -- N8 --, therefor.

In column 36, line 54, delete "N271" and insert -- N27 --, therefor.

In column 45, line 49, delete "(±)" and insert -- (±), --, therefor.

In column 45, line 53, delete "1-25" and insert -- 1-25; --, therefor.

In column 45, line 54, delete "(+++++)" and insert -- (+++++), --, therefor.

In column 45, line 55, delete "Hc" and insert -- Hc --, therefor.

In column 46, line 41, delete "BoNTIA" and insert -- BoNT/A --, therefor.

In column 48, line 57, after "Synthetic" delete "BoNTIA" and insert -- BoNT/A --, therefor.

In column 48, line 57, after "to" delete "BoNTIA" and insert -- BoNT/A --, therefor.

In column 50, line 5, after "50 µl" delete ",".

In column 52, line 23, delete "C10was" and insert -- C10 was --, therefor.

In column 52, line 51, after "invention" insert -- . --.

MAILING ADDRESS OF SENDER:  
 Dean G. Stathakis-T2-7H  
 Allergan, Inc.  
 2525 Dupont Drive  
 Irvine, CA 92612

PATENT NO. 7,341,843

Atty Docket No: 17525 (AP)



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(Also Form PTO-1050)UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO : 7,341,843

DATED : March 11, 2008

INVENTOR(S) : Atassi

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 65, line 24, in Claim 1, delete "b" and insert -- b) --, therefor.

In column 67, line 16, in Claim 13, before "of" delete "or absence".

In column 67, line 18, in Claim 13, delete "immunosorbentassay." and insert -- immunoabsorbent assay. --, therefor.

In column 67, line 42, in Claim 15, delete "b" and insert -- b) --, therefor.

In column 69, line 6, in Claim 24, delete "—or" and insert -- or --, therefor.

In column 69, line 20, in Claim 25, after "fragment" insert -- of --.

In column 70, line 42, in Claim 35, delete "1121-1139of" and insert -- 1121-1139 of --, therefor.

In column 75, line 23, in Claim 65, after "1" insert -- , --.

In column 75, line 37, in Claim 66, after "BoNT/A" delete " .".

In column 76, line 5, in Claim 69, delete "a" and insert -- an --, therefor.

MAILING ADDRESS OF SENDER:  
Dean G. Stathakis-T2-7H  
Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612

PATENT NO. 7,341,843

Atty Docket No: 17525 (AP)



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DEAN G. STATHAKIS COMPANY: 2525 DUPONT DRIVE



## UNITED STATES PATENT AND TRADEMARK OFFICE

### Facsimile Transmission

To: Name: DEAN G. STATHAKIS  
 Company: 2525 DUPONT DRIVE  
 Fax Number: 17142464249  
 Voice Phone:

From: Name: ASSIGNMENT SERVICES BRANCH  
 Voice Phone: 571-272-3350

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

#### Fax Notes:

Pg#	Description
1	Cover Page
2	638.TXT
4	Document 1, Batch 925988

17525 (BOT)

#### USPTO ASSIGNMENT SYSTEM PROCESSING

Date and time of transmission: Friday, May 11, 2007 3:28:58 PM  
 Number of pages including this cover sheet: 05

DEAN G. STATHAKIS COMPANY: 2525 DUPONT DRIVE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 11, 2007

PTAS

\*500275216A\*

\*500275216A\*

DEAN G. STATHAKIS  
2525 DUPONT DRIVE  
T2-7H  
IRVINE, CA 92612

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 05/11/2007

REEL/FRAME: 019279/0979  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 17525 (BOT)

ASSIGNOR:

ATASSI, M. ZOUHAIR

DOC DATE: 07/28/2004

ASSIGNEE:

ALLERGAN, INC.  
2525 DUPONT DRIVE  
T2-7H  
IRVINE, CALIFORNIA 92612

ASSIGNEE:

BAYLOR COLLEGE OF MEDICINE  
ONE BAYLOR PLAZA  
HOUSTON, TEXAS 77030

AN G. STATHAKIS COMPANY: 2525 DUPONT DRIVE

019279/0979 PAGE 2

SERIAL NUMBER: 10821669	FILING DATE: 04/09/2004
PATENT NUMBER:	ISSUE DATE:
TITLE: BOTULINUM TOXIN A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY	
SERIAL NUMBER: 11693095	FILING DATE: 03/29/2007
PATENT NUMBER:	ISSUE DATE:
TITLE: BONT/A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY	
SERIAL NUMBER: 11693104	FILING DATE: 03/29/2007
PATENT NUMBER:	ISSUE DATE:
TITLE: BONT/A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY	
SERIAL NUMBER: 11693111	FILING DATE: 03/29/2007
PATENT NUMBER:	ISSUE DATE:
TITLE: BONT/A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY	

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

IN G. STATHAKIS COMPANY: 2525 DUPONT DRIVE

JUN 12 2008

## PATENT ASSIGNMENT

Electronic Version v1.1  
stylesheet Version v1.105/11/2007  
500275216

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

## CONVEYING PARTY DATA

Name	Execution Date
M. Zouhair Alassi	07/28/2004

## RECEIVING PARTY DATA

Name:	Allergan, Inc.
Street Address:	2525 Dupont Drive
Internal Address:	T2-7H
City:	Irvine
State/Country:	CALIFORNIA
Postal Code:	92612

Name:	Baylor College of Medicine
Street Address:	One Baylor Plaza
City:	Houston
State/Country:	TEXAS
Postal Code:	77030

## PROPERTY NUMBERS Total: 4

Property Type	Number
Application Number:	10821689
Application Number:	11693095
Application Number:	11693104
Application Number:	11693111

10821689

CH \$160.00

## CORRESPONDENCE DATA

Fax Number: (714)246-4249

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 7142466521

Email: Ferguson\_Bonnie@Allergan.com

## DEAN G. STATHAKIS COMPANY: 2525 DUPONT DRIVE

Correspondent Name: Dean G. Stathakis  
Address Line 1: 2525 Dupont Drive  
Address Line 2: T2-7H  
Address Line 4: Irvine, CALIFORNIA 92612

ATTORNEY DOCKET NUMBER:	17525(BOT)
NAME OF SUBMITTER:	Dean G. Stathakis

Total Attachments: 3  
source=17525Assignment#page1.tif  
source=17525Assignment#page2.tif  
source=17525Assignment#page3.tif

DOCKET NO: 17525 (BOT)

Page 1

## ASSIGNMENT

THIS ASSIGNMENT is made by M. ZOUHAIR ATASSI having a principal place of residence at 11743 CAWDOR WAY, HOUSTON, TEXAS, 77024, (hereinafter "ASSIGNOR) to ALLERGAN, INC., having its principal place of business at 2525 DUPONT DRIVE, IRVINE, CALIFORNIA, 92612 and BAYLOR COLLEGE OF MEDICINE, having its principal place of business at ONE BAYLOR PLAZA, HOUSTON, TEXAS, 77030 (hereinafter ASSIGNEES).

WHEREAS, ASSIGNOR has invented and owns a new and useful invention for which an application for Letters Patent of the United States entitled BOTULINUM TOXIN A PEPTIDES AND METHODS OF PREDICTING AND REDUCING IMMUNORESISTANCE TO BOTULINUM TOXIN THERAPY was filed on April 9, 2004, bearing Serial No. 10/821,669;

WHEREAS, ASSIGNOR believes himself to be the original inventor of said invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, as to Baylor College of Medicine, ASSIGNOR acknowledges that he is assigning his right as part of his obligations as College Personnel, under the Baylor College of Medicine Patent Policy; and

WHEREAS, the parties desire to have a recordable instrument assigning the ASSIGNEES as equal co-owners of the entire right, title and interest in, to, and under said invention, said patent application, any patent application entitled to a benefit of priority to said patent application, or any other legal instrument equivalent thereof pertaining to said invention which may be submitted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries, and any Letters Patent or any other legal instrument equivalent thereof pertaining to said invention which may be granted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by ASSIGNEES to ASSIGNOR of the sum of One Dollar (\$1.00) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the ASSIGNOR hereby sells, assigns, transfers and sets over in equal share to ASSIGNEES, their successors, legal representatives and assigns, the full and exclusive right, title and interest in, to, and under said invention, said patent application, any patent application entitled to a benefit of priority to said patent application, or any other legal instrument equivalent thereof including, without limitation, continuation, division, continuation-in-part, substitute, reexamination, reissue, renewal, extensions, inventor's certificate, utility model or any other legal instrument equivalent thereto, pertaining to said invention which may be submitted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries, and any Letters Patent or any other legal instrument equivalent thereof pertaining to said invention which may be granted therefor and thereon in the United States of America, its territorial

DOCKET NO: 17525 (BOT)

Page 2

possessions and in any and all foreign countries; and the full and exclusive right, title and interest in, to and under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said ASSIGNEES, their successors, legal representatives and assigns, for the use of said ASSIGNEES, their successors, legal representatives and assigns, for the full end of the term or terms for which the same may be granted, as fully and entirely as the same would have been held and enjoyed by the ASSIGNOR, had this sale and assignment not been made.

AND for the same consideration, said ASSIGNOR hereby covenants and agrees to and with said ASSIGNEES their successors, legal representatives and assigns, that, at the time of execution and delivery of said consideration, said ASSIGNOR is the sole and lawful owner of the full and exclusive right, title and interest in, to and under said invention, said patent application, any patent application entitled to a benefit of priority to said patent application, or any other legal instrument equivalent thereof pertaining to said invention which may be submitted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries, and any Letters Patent or any other legal instrument equivalent thereof pertaining to said invention which may be granted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries; and that no sale, assignment, transfer, or any other agreement or encumbrance was or will be made or entered into which would conflict with this assignment and sale, and that said ASSIGNOR has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said ASSIGNOR further covenants and agrees to and with said ASSIGNEES, their successors, legal representatives and assigns, that where lawful and desirable and whenever requested by said ASSIGNEES, their successors, legal representatives and assigns, said ASSIGNOR will promptly provide any and all known and accessible facts, data or any other pertinent information thereof; promptly execute and deliver any and all papers, documents, forms, declarations, oaths, affidavits and other legal instrument thereof; promptly assist and participate in any and all depositions, hearings, and trials; and testify under oath in any and all interference, litigation or any other judicial proceeding thereof; and promptly complete any and all actions necessary or desirable to carry out any and all purposes thereof, relating to any and all proceedings in connection with the submission, procurement, issuance, maintenance, enforcement or defense relating to said invention, said patent application, any patent application entitled to a benefit of priority to said patent application, or any other legal instrument equivalent thereof pertaining to said invention which may be submitted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries, and any Letters Patent or any other legal instrument equivalent thereof pertaining to said invention which may be granted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries; without charge to said ASSIGNEES, their successors, legal representatives and assigns, but at the cost and expense of said ASSIGNEES, their successors, legal representatives and assigns.

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AND said ASSIGNOR hereby authorizes and requests that any Letters Patent or any other legal instrument equivalent thereof pertaining to said invention which may be granted therefor and thereon in the United States of America, its territorial possessions and in any and all foreign countries be issued to said ASSIGNEES, their successors, legal representatives and assigns as the ASSIGNEES of the full and exclusive right, title and interest in, to, and under said invention, for the sole use of said ASSIGNEES, their successors, legal representatives and assigns.

IN WITNESS THEREOF, I have executed this Assignment on this 28 day of July, 2004.



M. Zouhair Atassi

## Acknowledgement

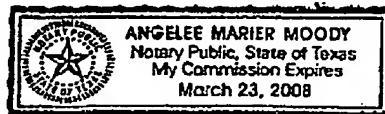
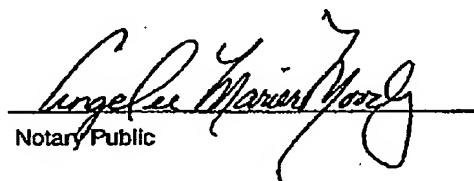
State of TEXAS )

) ss:

County of HARRIS )

On this 28 day of July, 2004 before me, M. Zouhair Atassi, personally appeared M. ZOUHAIR ATASSI, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS by my hand and official seal.

Angelee Marier Moody  
Notary Public

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